



1695

PATENT APPLICATION
Mo-6439
LeA 34,771

RECEIVED
MAR 04 2002
TECH CENTER 1600/2900

H5
3-7-02
P.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF)

WERNER ZITZMANN ET AL)

SERIAL NUMBER: 09/909,672)

FILED: JULY 20, 2001)

TITLE: HELIOTHIS VIRESSENS
ULTRASPIRACLE (USP) PROTEIN)

) GROUP NO.: 1645

)

)

)

)

)

)

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. 1.97(b)**

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

This disclosure statement under 37 CFR 1.97 & 1.98 is submitted before the first Office Action in order that the Patent and Trademark Office may consider the relevancy of certain information to the invention described and claimed in the subject application, and in compliance with the regulations concerning information disclosure statements. Enclosed are copies of the following:

a) copies of documents described in the above-identified application,
listed on the attached Form PTO 1449,

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on February 15, 2002
Date

Joseph C. Gil, Reg. No. 26,602

Name of applicant, assignee or
Registered Representative

Signature
February 15, 2002

Date

- b) the Search Report received in the corresponding application pending in the European Patent Office and an English language translation thereof; and
- c) the documents cited by the European Patent Office in the Search Report (except for the document being submitted) listed on the attached Form PTO-1449.

This Information Disclosure Statement should not be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, that any reference mentioned herein constitutes prior art, or that the references listed, severally or in any combination with one another or with any other information, are believed to render any claim in the subject application prima facie unpatentable.

Respectfully submitted,

By 
Joseph C. Gil
Attorney for Applicants
Reg. No. 26,602

Bayer Corporation
100 Bayer Road
Pittsburgh, Pennsylvania 15205-9741
(412) 777-8342
FACSIMILE PHONE NUMBER:
(412) 777-8363
\mac\inform\6439